

REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application. Applicants request reconsideration of the subject application based on the following remarks.

Claims 17 and 21-24 are pending in the application. Claims 17, 21 and 23 have been amended by the instant amendment. Support for the amendments to claim 17 can be found in claims 22 and 24 and throughout the specification. No new matter has been introduced by the instant amendments.

The office action indicates in paragraph 3 that references BA, CE, and CO submitted with the information disclosure statement on June 23, 2003 have been placed in the file but have not be considered.

Attached herewith are English language translations of references BA, CE, and CO together with a new PTO form 892. Applicants request that the Examiner consider the information of the submitted references based on the English language translation and return an initialed copy of the attached PTO form 892 with the next action.

Claims 21 and 23 were objected to as referring to cancelled claims.

Claims 21 and 23, as currently amended, depend solely from claim 17. Thus, the objection to claims 21 and 23 should be withdrawn.

Claims 17 and 21-24 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being incomplete for omitting essential steps.

Claim 17, as currently amended, provides for the step of administering to a patient microglia cells comprising a drug. Thus, claim 17, as amended, provides at least one method steps. Thus, claim 17 and 21-24 are fully compliant with 35 U.S.C. §112 including the definiteness requirement of §112, second paragraph.

Claims 17 and 21-24 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

The rejection is traversed.

Claim 17, as currently amended, provides methods of delivering a drug across the blood-brain barrier to a patient's brain by administering microglia cells comprising said drug. Moreover, claim 17, as amended, provides that the microglia cells are selected from biologically pure cell lines of microglia that have identifying characteristics of cell line Ra2 (FERM BP-7061) or cell line GMI-R1 (FERM BP-7062).

Biological deposits for both Ra2 and GMI-R1 microglia cell lines have been deposited with the International Depositary Authority in Japan in compliance with 37 CFR 1.803.

Thus, the claims, as amended, are fully enabled by the instant specification and the deposit of biological material. Applicants request withdrawal of the rejections and reconsideration of the claims.

Early consideration of the application and claims as amended is earnestly solicited.

Application No. 10/602,234
Amendment dated October 24, 2005
Reply to Office Action of June 24, 2005

Docket No.: 48781DIV(71526)

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Dated: October 24, 2005

Respectfully submitted,

By 

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